IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMARY SUIT NO.3539 OF 2002

Bank of India .. Plaintiff

Versus

Malaiyandi Ramaswamy .. Defendant

Mr.O.A.Das for plaintiff

None for defendant

CORAM : S.C.DHARMADHIKARI, J

DATE : 17th September 2007.

P.C.

. Learned Advocate appearing for plaintiffs tenders affidavit of service of writ of summons. The same is taken on record and marked "X" for

identification. Original documents along with list are tendered. The same are taken on record and marked as "X-1". On a credit card facility, the bank has filed the present suit to recover the amount which has been duly paid to third parties on the facility extended to the defendant. There is no appearance filed despite service of writ of summons. Suit is based on credit card facility and it is well settled that a summary suit can be filed for claiming amounts under such facility. There is no defence to the claim. The claim is within limitation. There is no dispute about the liability. Hence, there shall be decree as prayed. Refund of court fees and computation of Advocate’s cost as per rules.

(S.C.DHARMADHIKARI, J)